



500.48 Stolen Vehicle Investigation

Number Series: 500—Operational
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POLICY

The reporting procedures for motor vehicle thefts are designed to be standardized, and that their entry into the FCIC/NCIC computers is completed in a timely manner. Upon recovery of a stolen vehicle, the originating agency, owner, insurer, and any registered lienholder of a stolen motor vehicle is notified of the vehicle recovery in accordance with Florida Statute 812.062, and the vehicle is removed from the FCIC/NCIC system in a timely manner.

PROCEDURE

A. Initial Case Report, Stolen Vehicle:

1. The responding deputy, upon arrival, will make inquiries to determine if the vehicle in question has been:
 - a. Repossessed
 - b. taken by a family member or friend
 - c. towed by a law enforcement agency
 - d. or, is actually stolen.
2. Upon determining that a motor vehicle theft has occurred, the responding deputy will prepare an initial case report containing all known facts, any suspicious facts that are pertinent to the investigation, as well as identification information of the vehicle. The value of the vehicle **MUST** be determined and entered into the initial report. Value may be determined by the owner or the deputy may obtain a reasonable value by checking www.kbb.com.
3. The responding deputy will have the victim sign a Victim/Witness Statement (500.08-01), and subsequent to this, all pertinent information will be provided to the Telecommunication Center for entry in FCIC/NCIC and issuance of appropriate bulletins prior to closure of the call.
4. The responding deputy will request the broadcast of the stolen vehicle information to all Sheriff's units as well as dissemination of this information to other shifts and other law enforcement agencies as dictated by the case information.
5. In the event that the responding deputy is unable to determine the type of case to be reported or finds that significant information is unavailable for inclusion in the initial report, the deputy will notify his/her supervisor of such.

B. Hired Vehicle, Failure to Redeliver:

1. The responding deputy, when investigating a case involving the failure to redeliver a hired vehicle must receive from the reportee several documents as suggested by the State Attorney's Office to include:
 - a. Legible copies of the rental agreement, both front and back sides.
 - b. A sworn statement or affidavit from the individual who rented the vehicle to the subject which should contain the person's ability to identify the subject, or a statement that they looked at the subject's photo identification, and if possible, a photocopy of the subject's drivers license.
 - c. The sworn statement or affidavit should contain a statement that no extensions to the rental agreement were given at any time and that documentation must indicate the attempts made by the rental company to recover the vehicle such as: telephone calls, personal visits, and certified notifications.
 - d. A certified or registered letter should have been sent to the last known address of the subject, requesting that the vehicle be returned or the case will be turned over to a law enforcement agency.
 - e. At the time of reporting, the vehicle should be at least 5 days overdue.
 - f. The reporting deputy must have the rental company complete an affidavit on the failure to redeliver a hired vehicle.
 2. The reporting deputy will provide all pertinent information to the Telecommunication Center for entry into FCIC/NCIC and appropriate bulletins will be issued subsequent to affidavit completion.
- C. Recovery of Stolen Motor Vehicles:
1. If a motor vehicle reported as stolen by the Hendry County Sheriff's Office is recovered by this agency, the responding deputy will:
 - a. Examine the recovered vehicle for latent prints and seize any and all items of physical evidence.
 - b. If the condition of the recovered stolen vehicle is such that latent print examinations and evidence recovery is not possible, the responding deputy will provide for the notification of employees equipped to perform these duties and ensure their timely completion.
 - c. Notification of the vehicle's recovery will be made to the Telecommunication Center, who will notify the owner of the vehicle and allow the owner the opportunity to respond to the scene of the recovery and take possession of the vehicle when conditions permit. If the owner responds to the scene and wishes to take possession of the vehicle, the responding deputy will have the owner sign a Waivers/Affidavits form (500.08-02), which will be filed with the case report. If the vehicle is in such condition as to prevent removal from the scene by the owner, the owner will make arrangements for the recovery of the vehicle.
 - d. If the vehicle owner cannot be contacted, refuses or is unable to respond, the vehicle must be impounded and towed by the reporting deputy in consonance with the current standard operating procedures for impounding vehicles.
 - e. Telecommunication Center will notify the district lieutenant and the Criminal Investigations Unit from the district where the initial report was taken of the recovery. The notification will include the disposition of the vehicle as to the owner taking possession of the vehicle or the towing

service information and storage location if impounded. An assigned person in the Criminal Investigations Unit is required to make personal notification to the victim of the recovery or document attempts if contact is not achieved.

- f. Complete a case or supplemental report documenting the recovery of the vehicle and ensure that the vehicle is removed from FCIC/NCIC prior to case closure. A recovery value **MUST** be determined and entered into the report. Consult with the district lieutenant, if necessary.
2. The responding deputy must write a case report when the following exists:
 - a. The stolen vehicle has not been reported at the time of recovery.
 - b. The stolen vehicle entered and reported by a law enforcement agency other than the Hendry County Sheriff's Office.
3. The responding deputy must write a supplement report when the following exists:
 - a. The vehicle was previously reported stolen to the Hendry County Sheriff's Office.
 - b. If a new case number has been assigned to the recovery, close the new case and refer it to the original case report number and complete the supplement using the original stolen vehicle report number.
4. Reporting Procedures for recovered stolen vehicles entered by the Hendry County Sheriff's Office are as follows:
 - a. The responding deputy will complete a Waivers/Affidavits form (500.08-02), which will be attached to the Vehicle Recovery Report and turned in prior to the end of his/her tour of duty. The Form and the Recovery Report will go through the deputy's chain of command for approval to ensure that all required notifications are made pursuant to Florida Statute 812.062.
 - b. The responding deputy will provide a copy of all Motor Vehicle Theft Reports and Recovered Stolen Motor Vehicle Reports to the Criminal Investigation Unit for information purposes.
 - c. If the recovered vehicle was reported stolen by a law enforcement agency other than the Hendry County Sheriff's Office, the responding deputy will immediately request the Telecommunication Center to notify the originating agency via teletype of the recovery. The Telecommunication Center will request a reply from the originating agency via teletype. Both the recovery notification and the originating agency reply will be forwarded to the Sheriff's Validations Unit.
5. Response and reporting procedures for stolen vehicles reported by the Hendry County Sheriff's Office, and recovered by another law enforcement agency in Hendry County:
 - a. If the stolen vehicle's recovery is made by another law enforcement agency in Hendry County, the appropriate zone deputy will be dispatched to the scene of the recovery and perform the investigative duties as illustrated in Section C (1) (a) through (e) of this procedure.
6. Response and Reporting Procedures for stolen vehicles reported by the Hendry County Sheriff's Office, and recovered by another law enforcement agency outside of Hendry County:

- a. The Telecommunication Center will remove the vehicle from FCIC/NCIC upon confirmation of the recovery by the other law enforcement agency using Validations as the authority.
- b. The Telecommunication Center will notify the owner of the vehicle to determine the desired disposition of the vehicle. The Telecommunication Center will be the information conduit between the recovering law enforcement agency and the victim unless the need arises for the vehicle's owner to contact the recovering law enforcement agency.
- c. The road supervisor for the area the offense occurred in will be notified. The supervisor will be given all pertinent information and will advise if an agent will complete the supplemental/cancellation report. The teletype operator will generate an e-mail containing all pertinent information available to the respective district's Criminal Investigations Unit investigative support specialist for routing the information about the recovery to the assigned agent. An assigned person in the Criminal Investigation Unit is required to make personal notification to the victim of the recovery or document attempts if contact is not achieved. The Criminal Investigation Unit will be responsible for any follow-up investigation and reports.

DEFINITIONS

FAILURE TO REDELIVER A HIRED VEHICLE – Florida Statute 817.52(3), Whoever, after hiring a motor vehicle under an agreement to redeliver the same to the person letting such motor vehicle or his agent, at the termination period for which it was let, will, without the consent of such person or persons and with intent to defraud, abandon or willfully refuse to redeliver such vehicle as agreed.

FCIC/NCIC – Florida Crime Information Center and National Crime Information Center, respectively.

MOTOR VEHICLE THEFT – Florida Statute 812.014, when a person knowingly obtains or uses, or endeavors to obtain or to use the motor vehicle of another with the intent to either, temporarily or permanently:

- Deprive the other person of a right to the motor vehicle, or a benefit there from.
- Appropriate the motor vehicle in his/her own use or to the use of any person not entitled thereto.

REFERENCES

State/Federal Regulations:

Florida Statute 812.014

Florida Statute 812.062

Florida Statute 817.52

CFA:

None

Forms:

500.08-01 Victim/Witness Statement

500.08-02 Waivers/Affidavits

Other Policy/ Procedure References:
None